IN THE HONOURABLE HIGH COURT OF JUDICATURE FOR CHHATTISGARH AT BILASPUR.

WRIT PETITION NO. 2411 /2001.

PETITIONER : Pramod Kumar Jha S/o. Late Kedarnath Jha; age 48 years "Compounder "; R/O. Mathilpara Jain Mandir Road, Durg, Tahsil & District Dugg (C.G.)

V E R S U S

RESPONDENTS :

R1. President Health & Hospital Committee Corporation, Nagar Palik Durg, Tahsil and Distt. Durg (C.G.).

R2. Commissioner; Municipal Corporation " NAGAR NIGAM " Durg; Tahsil and Distt. Durg. (C.G.).

R3. Avadram Pandey " VADYARAJ " S/o. not known ; Deshbandhu Ayurvedi Hospital, Municipal Corporation ' NAGAR NIGAM' ,Durg; Tahsil & Distt. Durg (C.G.) &

R4. Ku. Chhama Sharma D/o. Bhanvari Lal Sharma " Compounder ", Ayurvedic Hospital Municipal Corporation " NAGAR NIGAM " Durg Tahsil & Distt. Durg (C.G.).

P.R. No. 2413/01 Amount Rs. 9/11/01

WRIT PETITION UNDER ARTICLE 226/227 OF CONSTITUTION OF INDIA.

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

W.P. No. 241/2001

मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	18.6.2002 Petitioner by Shri Arun Sav, Advocate. Respondents No. 1 and 2 by Miss Sharmila Singhai, Advocate. Respondents No. 3 and 4 by Shri Ashok Patil, Advocate. Heard. By this petition filed under Article 226/227 of the Constitution of India the petitioner sought following reliefs: *"i) Quash the order (Impugned), passed by Respondent No.1 i.e., President Health and Hospital Committee Municipal Corporation Nagar Palika Nigam Durg, Vide No. 137/5/Health & Hospital Committee/98 Durg, dt. 11.6.1998;* *OR* *To command the Respondent No. 1,2,3 & 4 to strictly comply with the impugned order so to campel the Resp. No.4 to get her relieved from Kasaraideeh Hospital and to join in Titurdeeh Hospital, and to have charges from the petitioner; and resultantly the petitioner may be able to be relieved from Titurdeeh Hospital and to join in Deshbandhu Hospital.* *ii) Issue writ or writ's order or orders, direction or directions which this Hon'ble court deems fit and proper in the facts and circumstances of the case.* *iii) Award the cost of this petition."*	

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मामला क्रमांक ..... **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश — 2—	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	Vide order dated 11.6.1998 Annexure P/1 the petitioner was transferred from Titurdeeh Aushdhalaya to Deshbandhu Aushdhalaya and Respondent No.4 Ku. Chama Sharma was transferred from Kasarideeh Aushdhalaya to Titurdeeh Aushdhalaya within the jurisdiction of Municipal Corporation, Durg. The Respondent No.4 challenged this order in a civil suit and thereafter appeal filed by her was also dismissed. As a result of dismissal of the civil suit and appeal Commissioner, Municipal Corporation, Durg passed an order dt. 4th April 2002 (Annexure R/1) calling upon Respondent No.4 to explain within 24 hours as to why she is not complying with the transfer order. The matter is pending since long, but in any case period of 24 hours calling upon to submit explanation was very short. Learned counsel for the Respondent No.4 submits that Smt. Su.Sha Chama Sharma is a widow and deserves sympathetic consideration. Be that as it may, it is for the respondent-Corporation to consider all the aspects and decide the same. Having thus considered the facts and circumstances of the case it is directed that the respondent-Corporation or its Commissioner would consider all the aspects of the matter and decide the same in accordance with law after hearing the petitioner and the Respondent No.4.; as early as possible	

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मामला क्रमांक.....सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश — 3—	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	within a period of one month from the date of production of certified copy of this order along with representation which may be made by petitioner and Respondent No.4. With the above observation this petition is disposed of at this stage. Parties are entitled for certified copy **Sd/-** **Fakhruddin** **Judge**	